

Environmental Justice Planning Advisory Workgroup Meeting Minutes
March 12, 2007

Members Present: Tracey Brieger, Veda Federighi, Karen Heisler, Laurie Nelson, Brenda Washington Davis, Gary Kunkel, Erin Field, Mily Trevino-Sauceda, Terry Stark, Jim Wells, Carolina Simunovic, and Teresa DeAnda (via phone).

Members Absent: Martha Arguello, Jena Ambacher, Shankar Prasad, Claudia Soria, Marilyn Dolan, Carl Winter, and Renee Pinel.

Facilitators: Joseph McIntyre, Kara Vernor

Next Meeting: **April 2, 10:00-2:00**

Location: **First floor training rooms, Cal/EPA building**
Sacramento, CA

Meeting Objective:

1. Determine if the group wishes to include the discussed potential 5th and 6th goals and objectives for the DPR strategy
- Proposed Goal 5: Preventing harmful exposure in communities of color and/or low-income populations through an integrated approach, including:
 - Encouraging less harmful alternatives, including non-chemical;
 - Reducing use of the most harmful chemicals; and
 - Reducing risk through mitigation strategies and reduced-exposure technologies.
- Proposed Goal 6: Protect public health from exposure to pests that can cause disease through reduced risk strategies, IPM, and non-chemical means along with judicious use of pesticide products when necessary

Meeting Agenda:

- Welcome and introductions, approve minutes of January 29 meeting
- Goal 5 Dialogue
- Break
- Goal 5 Dialogue (continued)
- Lunch
- Goal 6 Dialogue
- Planning for workshops on the committee's recommendations
- Recap of day, next agenda, review of member preparation

Meeting Ground Rules:

- Listen
- Respect
- Hold Judgment
- Share Fully
- Courtesy:
 - Silent cells/pagers
 - Be concise
 - Be on time
 - Be prepared

I. Visit from Mary-Ann Warmerdam

DPR's perspective:

1. Obligation is to find the right balance point. Working from the failures and successes of the past. We are bound by a science that keeps us from swinging back and forth and/or in response to "political winds."
2. We have a long history of looking at reduced risk alternatives. It's a very important piece of our program. Established pest management advisory committee and grants program. We are always trying to identify and balance the risk points.
3. We recognize the reduced risk approach is integral
4. We look at the economics of **balancing** human, environmental, and economic health.
5. We have a responsibility to "hang our hat" on peer-reviewed science. The downside is that science doesn't act quickly.
6. We're always questioning whether or not we have the right risk assessment tools.
7. Our charge is to identify how to use pesticides responsibly and with the least amount of harm.
8. We have a higher burden of proof than other Cal/EPA agencies, taking in various concerns. Have a responsibility to provide the right materials in a very dynamic environment.

Reactions from the group:

- What she said is pretty well reflected in Goal 5. I think it matches well what was just said.
- I appreciated the questioning of whether or not we have the right risk assessment tools. I think we need tools that benefit and fit the needs of these communities.
- We see the effect because we live it, though we can't prove it because we aren't scientists. But we have incidents that show the effect. Why am I on this call if this isn't being recognized?
- We need to recognize that the tools have not been working. There hasn't been a balance that has been working for some people, and they have not been served by them. A lot of people have been failed by the balance. It really needs to change. Goal 5 means to me that we are looking to shift the balance. I feel deflated by hearing Mary Ann's comments. It seemed like an argument for maintaining the status quo.

Mary Ann's response:

We are conducting human-based assessments; we would hope they wouldn't fail. I also struggle because we have noble intentions, but we sometimes do not fully identify consequences (i.e. the State's experience with MTBE, which resulted in cleaner air, but had unintended impacts on water quality) because sometimes we don't have all the right information.

Further responses from the group:

- Because of the failings of science, it's a motivator to look at our processes. We can't rely all on communities to understand. They may come together when it isn't best for the process. How do we integrate new information that arises? We don't know how to do that yet.
- It sounds like we're talking about adaptive management. Environments evolve and change. You want to find ways to bring that new information in.
- Community capacity has been increasing over the last four years especially in the San Joaquin Valley. We need a mechanism to allow for the introduction of new information, and comment on it.

Mary Ann's response:

We may have become risk averse: how can we provide the right environment (for DPR staff) so that if we take risks we won't get publicly flayed? And in which settings do we take those risks? There is a lot of talk about the agricultural area, but another sector of interest is identifying/responding to vulnerabilities in the urban area. It's a vulnerable area.

II. Goal 5

Originally proposed by the EJ community, though others had a stake in it. The core reasons for creating Goal 5:

- Personal experience with being poisoned and not knowing what to do about it. Also watching someone die. I still see people going through the same thing.
- How do I grow a crop and protect it without endangering people?
- Protecting humans.
- Minimizing risk: for growers (eliminating the pest), and for people (exposure). It's about risk management both ways.
- To acknowledge the disproportionality inherent in the EJ definition, that people are disproportionately affected. And it's about **reducing** exposure.
- There is constantly changing information, we are always in the role of failing. Working really hard to do the best you can now means taking responsibility for a system where people are getting the short end of the stick.

Suggestions Goal 5:

- Prioritize review of chemicals based on impact to EJ communities.
- When we start a grant review process, let's review it through an EJ lens.
- There should be explicit acknowledgement that certain communities are impacted more than others.
- Start with the data that we do have that does correlate.
- I'm not sure we can correlate use, exposure, and risk. It's putting the cart before the horse.
- Prioritize risk assessments based on chemicals that have been implicated in exposure incidents.
- DPR does reorganize the prioritized risk assessment list based on new data that relates to exposure (though not just in EJ communities). DPR does 8-10 risk assessments per year.
- How can we include EJ in the process that prioritizes risk assessments?

Objectives:

Discussion of terms to use within Goal 5:

1. *Definition of EJ community*: The current legal definition versus a definition that guides implementation
2. *Use vs. Exposure*: The members are not ready to correlate these.
3. *Use vs. Misuse*: Misuse is clearly covered under DPR's mandate, the question arises when legal use may cause unintended harm.

Objectives related to "encourage less harmful alternatives" (discussion points not agreements):

1. Incentives and disincentives for less harmful/harmful pesticides
2. Training programs for those who want to switch methods, work less harmfully
 - a. Working with growers and asking them what they need
3. Grants to measure efficacy of alternatives
4. Include EJ as a factor in granting programs
5. Affirmatively solicit community input for grant programs
6. Check to see if feedback loop is present in Objective 3

Issues with definitions:

1. We can't move very far forward if we can't define "harmful."
2. The group agrees to reducing impacts, but doesn't agree that reducing use would reduce exposure and therefore reduce impacts.

III. Assignments

- Consider what it looks like to “reduce use.” We will create a document that contains all of the work the group has done so far. At our next meeting, we will grapple with this entire document.
- Veda will email a request for input on how to workshop the recommendations around the state. She will provide DPR’s broad parameters and then ask for an email response.

V. Next Meeting Date

April 2 – First floor training room, 10-2, Cal/EPA building. THIS IS THE FINAL FORMAL MEETING OF THIS WORKGROUP.